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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/538,424

06/10/2005

Philip Jessup

IDS-10102/04

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02/12/2008

GIFFORD, KRASS, SPRINKLE, ANDERSON & CITKOWSKI, P.C

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EXAMINER

PATEL, RITA RAMESH

ART UNIT

PAPER NUMBER

1792

MAIL DATE

DELIVERY MODE

02/12/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/538,424	Applicant(s) JESSUP ET AL.	
	Examiner RITA R. PATEL	Art Unit 1792	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/7/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

It is acknowledge that this application is claiming the benefit of PCT/CA03/00239 filed 2/21/03.

Drawings

The drawings received on 6/10/05 are acceptable for examination purposes.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 and 10-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stern (US Patent No. 4,827,955) and further in view of Thompson et al. herein referred to as "Thompson" (US Patent No. 6,520,190).

Stern teaches a device for cleaning paint distributing channels in spray guns. This spray gun cleaning apparatus has an opening formed (formed opening) in the top wall of washing bowl 11 (container), contained therein is a washing nozzle 67 (spray head) and a suction system 7 (means of generating air flow) having a connecting unit 8 (air sweep nozzle). A spray gun 1 (spray gun) is to be cleaned by insertion into said

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suction and washing mechanisms. Suction system 7 dries the spray gun 1. Washing nozzle 67 washes the spray gun 1.

Stern does not go into detail regarding the working parts of the connecting unit 8; namely, Stern fails to recite if connecting unit 8 has a velocity ring, or any other valve at its tip for connection to the spray gun. However, Thompson teaches a known in the art spray gun cleaning apparatus which has a valve 330 (Fig. 9A) with a low pressure O-ring retainer washer 346 for performing reverse flush cleaning. It would have been obvious to one of ordinary skill in the art at the time of the invention to have a similar low pressure O-ring valve formed at the tip of the connecting unit 8 of Stern, as taught by Thompson to be a known way of providing connection of spray guns to suction systems, and allows for effective suck back cleaning. It is beneficial to have a low pressure valve (velocity ring) attached to said connecting unit, such that attachment/removal of the spray gun by the user is easier and suction cleaning may still be performed effectively. This O-ring valve system reads on Applicant's claims for a velocity ring.

In re claim 7, the connecting unit 8 and its components, including a so-called velocity ring are located below the opening formed in the top wall of the washing bowl 11, as per Applicant's claims.

In re claim 10, Applicant claims the location of the velocity ring of the air sweep nozzle is located below the spray head. But in Stern-Thompson the connecting unit 8 having the velocity ring therein (velocity ring) is illustrated in a position above the washing nozzle 67 (spray head). However, it would have been obvious to one of ordinary skill in the art at the time of the invention to rearrange these parts such that the

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velocity ring is located below the washing nozzle. Rearrangement of parts was held to have been obvious. *In re Japikse* 86 USPQ 10 (CCPA 1950). Rearrangement of these parts does not affect its known air sweeping and spraying operations.

In re claim 14, Applicant claims the sweep nozzle is located above the opening formed in the top wall of the washing basin. However, in Stern-Thompson, the connecting unit (sweep nozzle) is illustratively located below the opening formed in the top wall of the washing basin. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to rearrange these parts such that the sweep nozzle is located above the opening formed in the top wall. Rearrangement of parts was held to have been obvious. *In re Japikse* 86 USPQ 10 (CCPA 1950).

Rearrangement of these parts does not affect its known air sweeping means.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stern and Thompson as applied to claims above, and further in view of Corsette et al. herein referred to as "Corsette" (US Patent No. 3,191,814).

Stern and Thompson teach the claimed invention, except they do not go into detail regarding the working parts of washing nozzle 67; more specifically, a ball check valve in the washing nozzle is not taught. However, Corsette teaches a known spray device for dispensing liquid which employs a ball check valve 52, 54. According to Corsette, it is beneficial to use a check valve in order to have a highly efficient fluid tight seal and prevent leakage of the fluid. A check valve is efficient in allowing liquid to be dispersed only when it is no longer depressed. It would have been obvious to one of

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ordinary skill in the art at the time of the invention to incorporate a ball check valve at the tip of the washing nozzle 67 of Stern-Thompson for allowing controlled liquid flow out of said washing nozzle; check valves are commonly used and known in the art for allowing controlled liquid flow as taught by Corsette.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RITA R. PATEL whose telephone number is (571)272-8701. The examiner can normally be reached on M-F: 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Barr/
Supervisory Patent Examiner, Art
Unit 1792

/Rita R. Patel/
Examiner, Art Unit 1792